

RECEIVED

OCT -2 2001

TECHNOLOGY CENTER 2800

In re Patent Application of ) Art Unit: 2811  
Masaaki NISHIJIMA ) Examiner: D. Owens  
Serial No. 09/351,160 )  
Filed: July 12, 1999 )  
For: SEMICONDUCTOR DEVICE )

#16/RESPONSE  
10/4/01  
VS

RESPONSE

Honorable Commissioner of Patents  
Washington, D.C. 20231

BEST AVAILABLE COPY

Sir:

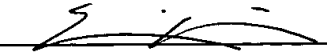
The Official Action mailed August 1, 2001 has been received and its contents carefully noted. Claims 23-27, 29, 32 and 34-40 are pending in present Application. Applicant notes with appreciation the allowance of claims 23-27, 29, 32 and 35-40. Claim 34 stands as the sole remaining rejected claim.

Paragraph 2 of the Official Action rejects claim 34 under 35 U.S.C. §112, first paragraph, as not being enabled by the present specification. Specifically, the Official Action asserts that the specification only provides support for forming a conductor line on a first dielectric layer with one dielectric constant and forming a second dielectric layer with a different dielectric constant from the first dielectric layer over the conductor line and first dielectric layer. Furthermore, the Official Action asserts that the specification only provides for forming two dielectric layers with mutually different dielectric constants, not two or more.

In response, the Examiner is respectfully directed to page 27, lines 13-19 of the present specification. Specifically, this portion of the specification makes clear that the dielectric film "may have a multi-layer structure including a first dielectric layer and a second dielectric layer formed on the first dielectric layer." Therefore it is respectfully submitted that the present application provides sufficient enablement to one skilled in the art to make and use a multi-layer structure as recited in claim 34, and that claim 34 is this enabled under 35 U.S.C. § 112. Reconsideration is respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,



Eric J. Robinson

Reg. No. 38,285

NIXON PEABODY LLP  
8180 Greensboro Drive, Suite 800  
McLean, Virginia 22102  
(703) 790-9110

**BEST AVAILABLE COPY**



Please type a plus sign (+) inside this box → [+]

Approved for use through 10/31/2002, OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/351,160	
	Filing Date	July 12, 1999	
	First Named Inventor	Masaaki NISHIJIMA	
	Group Art Unit	2811	
	Examiner Name	D. Owens	
Total Number of Pages in This Submission		Attorney Docket Number	0819-0261

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Other
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<b>BEST AVAILABLE</b>
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number.
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	<u>Jason H. Vick, Reg. No. 45,285</u> Nixon Peabody LLP 8180 Greensboro Drive Suite 800 McLean, VA 22012
Signature	
Date	<u>28 Sept 01</u>

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <span style="border: 1px solid black; display: inline-block; width: 100px; height: 20px; vertical-align: middle;"></span>		
Type or printed name		
Signature		Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.